IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Mark E. Phillips et al.
Application No.	:	09/975,748
Filed	:	October 10, 2001
For	:	SYSTEM AND METHOD FOR MUSICAL PLAYLIST SELECTION IN A PORTABLE AUDIO DEVICE

Art Unit	:	2635
Docket No.	:	480180.403
Date	:	December 19, 2001

Box Missing Parts
Commissioner for Patents
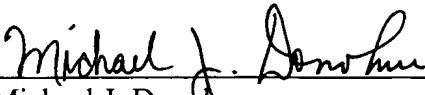Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
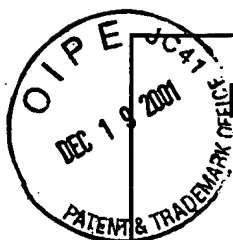
Commissioner for Patents:

In response to the Notice to File Missing Parts dated , please find enclosed the following documents:

   X   Fee

   X   Oath/Declaration

   X   Copy of Notice to File Missing Parts

_____   Sheets of Formal Drawings

Respectfully submitted,

Mark E. Phillips et al.

Seed Intellectual Property Law Group PLLC

Michael J. Donohue
Registration No. 35,859

480180.403/243,254

1

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known	
Application Number	**09/975,748**
Filing Date	**October 10, 2001**
First Named Inventor	**Mark E. Phillips**
Examiner Name	
Group Art Unit	**2635**

TOTAL AMOUNT OF PAYMENT	($)	435	Attorney Docket No.	**480180.403**

METHOD OF PAYMENT

☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

☐ Deposit Account:

Deposit Account Number	**19-1090**
Deposit Account Name	**Seed Intellectual Property Law Group PLLC**

The Commissioner is authorized to *(check all that apply)*

☐ Charge fee(s) indicated below   ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any deficiencies

to the above-identified deposit account.

☒ Applicant claims small entity status. See 37 CFR 1.27.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	**370**
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
				SUBTOTAL (1)	($) 370

2. EXTRA CLAIM FEES

		Extra Claims		Fee from below		Fee Paid
Total Claims	**20**	-** =	**0**	*	=	**0**
Independent Claims	**3**	-** =	**0**	*	=	**0**
Multiple Dependent				*	=	

Large Entity		Small Entity		
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) | ($) |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small			Fee Paid
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for *ex parte* reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,280	241	640	Petition to revive – unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) | ($) 65 |

SUBMITTED BY

Name (Print/Type)	**Michael J. Donohue**	Registration No. Attorney/Agent	**35,859**
Firm Name/ Address			
Signature	*Michael J. Donohue*	Date	December 19, 2001

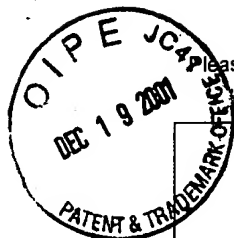00500

PATENT TRADEMARK OFFICE

12/27/01   Sector$

EXPRESS MAIL NO. EV020611390US

Please type a plus sign (+) inside this box → [+]

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number	09/975,748
Filing Date	October 10, 2001
First Named Inventor	Mark E. Phillips
Group Art Unit	2635
Examiner Name	
Attorney Docket No.	480180.403

ENCLOSURES (*check all that apply*)

- [X] Fee Transmittal Form
  - [X] Fee Attached
- [ ] Amendment/Response
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement; Form PTO-1449
- [ ] Cited References
- [ ] Certified Copy of Priority Document(s)
- [X] Response to Missing Parts under 37 C.F.R. 1.52 or 1.53
- [ ] Response to Missing Parts/Incomplete Application

- [ ] Assignment Papers *(for an Application)*
- [ ] Drawing(s)
- [ ] Request for Corrected Filing Receipt
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [X] Power of Attorney, Revocation, Change of Correspondence Address
- [X] Declaration
- [X] Statement under 37 CFR 3.73(b)
- [ ] Terminal Disclaimer
- [ ] Small Entity Statement
- [ ] Request for Refund

- [ ] CD(s), Number of CD(s) _____
- [ ] After Allowance Communication to Group
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- [ ] Proprietary Information
- [ ] Status Letter
- [X] Return Receipt Postcard
- [ ] Additional Enclosure(s) *(please identify below)*:

Copy of Notice to File Missing Parts
Copy of Assignment
Application Data Sheet

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Michael J. Donohue
Signature	*Michael J. Donohue*
Date	December 19, 2001

00500
PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date specified below.

Typed or printed name		
Signature		Date:

243,272